

PROCEEDINGS OF THE COMMON COUNCIL

IN REGULAR SESSION,
TUESDAY, MAY 26, 1970.

CITY OF FORT WAYNE, INDIANA
Journal of the Proceedings
of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chamber Tuesday
evening, May 26, A.D., 1970 in Regular Session. Vice-
Phil A. Steigerwald in the chair, and Fuad G. Bonahoom Clerk, at the desk,
present the following members _____ viz:

Adams ☒ Dunifon ☒ Fay ☒ Geake _____ Nuckols ☒ Robinson ☒
Rousseau ☒ Steigerwald ☒ Tipton _____.

Absent 2 viz: Councilman _____

The minutes of the last regular May 12, 1970 session having been delivered
to the Council, were, on Motion, approved as published.



City of Fort Wayne

COMMUNICATION FROM THE MAYOR

HAROLD S. ZEIS
Mayor

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

Today, May 13, 1970, I have approved the following ordinances passed by the Common Council at its regular meeting on May 12, 1970:

(Bill No. Z-69-12-04)
ZONING MAP ORDINANCE NO. Z-106-70

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-1.

(Bill No. Z-69-12-05)
ZONING MAP ORDINANCE NO. Z-107-70

AN ORDINANCE amending the City of Fort Wayne, Zoning Map No. JJ-1.

(Bill No. Z-70-02-33)
ZONING MAP ORDINANCE NO. Z-108-70

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-7.

(Bill No. G-70-04-16) (Amended)
GENERAL ORDINANCE NO. G-85-70

AN ORDINANCE creating a Metropolitan Human Relations Commission Defining its Powers and Purposes, Prohibiting Discrimination in Public Accommodations and Housing; Providing for Certain Exemptions; Providing for Penalties and Repealing Special Ordinance No. 2593.

(Bill No. A-70-04-17)
APPROPRIATION ORDINANCE NO. A-94-70

AN ORDINANCE appropriating and transferring funds within the 1970 Budget of the Board of Public Safety-Police Department.

(Bill No. A-70-04-18)
APPROPRIATION ORDINANCE NO. A-95-70

AN ORDINANCE transferring funds within the 1970 Budget of the Traffic Engineering Department.

(Bill No. S-70-04-19)
SPECIAL ORDINANCE NO. S-469-70

AN ORDINANCE amending Special Ordinance No. S-264-69 fixing the salaries of each and every appointive officer, employee, deputy, assistant and departmental and institutional head of the City of Fort Wayne, Indiana for the year 1970.



MADE A MATTER OF RECORD

DATE 5-26-70 FILED IN CLERK'S FILE

(Bill No. S-70-04-20)

SPECIAL ORDINANCE NO. S-470-70

AN ORDINANCE approving Proposal to Purchase Real Estate for the construction of the Tertiary Ponds.

(Bill No. S-70-04-21)

SPECIAL ORDINANCE NO. S-471-70

AN ORDINANCE approving Proposal to Purchase Real Estate located at 515 East Wallace Street for the expansion of City Utilities property.

(Bill No. S-70-04-22)

SPECIAL ORDINANCE NO. S-472-70

AN ORDINANCE approving a contract with BALSER-FORBES, INC. for one Tractor and Mower for the Filtration Plant.

(Bill No. S-70-04-23)

SPECIAL ORDINANCE NO. S-473-70

AN ORDINANCE approving an Agreement with HENRY B. STEEG & ASSOCIATES, INC., for engineering services for the Inner-City Storm Relief Sewers.

(Bill No. S-70-04-24)

SPECIAL ORDINANCE NO. S-474-70

AN ORDINANCE approving Agreement with C. MILLER & SONS, INC. for reroofing Three Rivers Filtration Plant, Contract No. 69-XP-2A (Revised).

(Bill No. S-70-04-25)

SPECIAL ORDINANCE NO. S-475-70

AN ORDINANCE approving Agreement with INDUSTRIAL PIPING AND ENGINEERING CORP. for Lime Sludge Pumping Unit Supplement to Contract No. 66-W-8.

(Bill No. S-70-04-26)

SPECIAL ORDINANCE NO. S-476-70

AN ORDINANCE approving Resolution for the sale of obsolete Turbine to LEVIN & SONS, INC.

(Bill No. S-70-04-27)

SPECIAL ORDINANCE NO. S-477-70

AN ORDINANCE approving contract with SIMMONS & BRADY EXCAVATING, INC. for Sewer Resolution No. 236-1970, Storm Drainage to serve Tucker Court.

(Bill No. S-70-04-28)

SPECIAL ORDINANCE NO. S-478-70

AN ORDINANCE approving bid document Ref. No. 357 with GENERAL TRUCK SALES CORP. for one GVW Van Truck for Port Wayne Humane Commission.

(Bill No. S-70-04-29)

SPECIAL ORDINANCE NO. S-479-70

AN ORDINANCE approving bid document Ref. No. 355 with GLADIEUX REFINERY, INC. for the City's requirements of Road Oil through December 31, 1970.

(Bill No. S-70-04-30)

SPECIAL ORDINANCE NO. S-480-70

AN ORDINANCE approving bid document Ref. No. 358 with HAWK CONSTRUCTION, INC. for installation of driveways and sidewalks and street widening for Fire Station No. 14 on Reed Road.

(Bill No. G-70-04-34)

GENERAL ORDINANCE NO. G-86-70

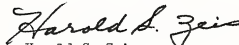
AN ORDINANCE amending Chapter 20 (Parks) of the Municipal Code of the City of Fort Wayne, Indiana, 1946 as amended, to include operation of Snowmobiles and Non-registered Motor Vehicles.

(Bill No. G-70-04-35)

GENERAL ORDINANCE NO. G-87-70

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of public streets and alleys in Swinney's Addition.

Respectfully submitted,

A handwritten signature in cursive script, reading "Harold S. Zeis".

Harold S. Zeis
Mayor.



BOARD OF PUBLIC SAFETY

City of Fort Wayne

COMMUNICATION FROM BOARD OF PUBLIC SAFETY

May 14, 1970

President of the Common Council
City of Fort Wayne, Indiana

Dear Sir:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolutions number 34-70/D, 35-70/E & 36-70/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate same into the minutes of the next Common Council Meeting.

Respectfully submitted,

Melvin H. Heckman, Chairman
BOARD OF PUBLIC SAFETY

By: *G. W. Bormuth*
George W. Bormuth, Exec. Sec'y.

mb



MADE A MATTER OF RECORD

DATE 5-26-70 RUAD G. BONANCONI, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 34-70/D), 35-70/E & 36-70/E

I hereby certify that I did this 14th day of May, 1970, ~~XXXXXX~~ deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 34-70/D, 35-70/E & 36-70/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.



EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO. 34-70 /D

(Adopted May 13, 1970 , ~~xxxx~~)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter as so amended delegates to this Board authority to restrict
parking near hazardous or congested places

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 13, 1970 , ~~xxxx~~, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this

Board by Section 121 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby

ordered, effective May 13, 1970 , ~~xxxx~~, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. No Parking:

1. Berry Street - north side - from 120 ft. east of Clinton St. to 100 ft. east thereof.
2. Crescent Avenue - east side - from Tennessee Ave. to 65 ft. north thereof.
3. Crescent Avenue - east side - from Tennessee Ave. to 40 ft. south thereof.

REGULATORY RESOLUTION NO. ~~35-70~~ /E

(Adopted May 13, 1970 , ~~xxx~~)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to no parking, two hour parking 8:00 A.M. to 6:00 P.M., stop intersection and a 90 minute parking 8:00 A.M. to 6:00 P.M. deletion ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated May 13, 1970 , ~~xxx~~, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective May 13, 1970 ,

~~xxx~~, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. No Parking:

1. Oakdale Drive - north side - from Calhoun St. to Clinton ^{Court} St.

B. Two Hour Parking 8:00 A.M. to 6:00 P.M.:

1. Baker Street - both sides - from Calhoun St. to Harrison St.
2. Jefferson Blvd. - south side - from Jackson St. to Union St.

C. Stop Intersection:

1. Parkview Avenue - STOP - for Lindley Ave.

D. 90 Minute Parking 8:00 A.M. to 6:00 P.M.:

DELETE

1. Baker Street - both sides - from Calhoun St. to Harrison St.

REGULATORY RESOLUTION NO. 36-70/E

(Adopted May 13, 1970 , ~~xx6xx~~)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to renewing and extending Regulatory Resolution 22-70/E

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated May 12, 1970 , ~~xx6xx~~, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective May 17, 1970 ,

~~xx6xx~~ and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. Renew & Extend Regulatory Resolution 22-70/E
Stop Intersection:

1. Winter Street - STOP - at Fairfax Ave.



City of Fort Wayne

CITY PLAN COMMISSION
425 S. Calhoun Street

May 22, 1970

COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City Hall
Fort Wayne, Indiana

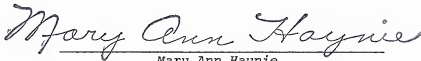
Gentlemen and Mrs. Fay:

Attached hereto is a resolution for the vacation of a portion of Wabash Avenue for Falstaff Brewing Company which was approved by the City Plan Commission at their meeting held April 27, 1970. A dedication is attached to the resolution showing that the petitioner agrees to the upgrading of Humphrey Street and to pay the cost for utility relocation.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
22nd day of May 1970.


Mary Ann Haynie
Secretary



MADE A MATTER OF RECORD

DATE 5-26-70 JUAN G. DOMARCO, CITY CLERK

RESOLUTION

WHEREAS, Falstaff Brewing Corporation of Indiana, Inc. has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Allen County, Indiana, to wit:

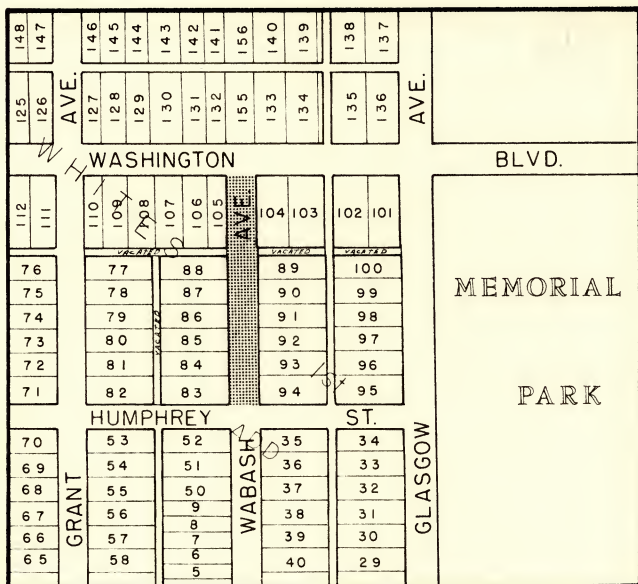
Wabash Avenue between Washington Boulevard and
Humphrey Street from the South property line of
Washington Boulevard to the North property line
of Humphrey Street as it now exists.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Inc. Ann. Stat. §53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

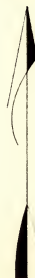
WHEREAS, said public hearing was held on April 20, 1970 at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development



STREET TO BE VACATED

N





EDW. J. GRIESDIECK, JR.
PLANT GENERAL MANAGER

FALSTAFF BREWING CORPORATION 1025 GRANT STREET, FT. WAYNE, INDIANA 46801

May 19, 1970

Mr. Donald Boedeker, Office Manager
City Engineer's Office
425 South Calhoun Street
Fort Wayne, Indiana

Re: Vacation of Wabash Avenue between East
Washington Boulevard and Humphrey Street

Dear Mr. Boedeker:

You have no doubt by this time been informed that the Plan Commission has granted our petition to vacate Wabash Avenue between East Washington Boulevard and Humphrey street.

This approval was, however, conditioned upon our agreement to assume the expense of upgrading Humphrey Street to City standards between Wabash Avenue and Grant Avenue, and upon our further agreement to pay any costs of necessary utility relocation in the vacated portion of Wabash Avenue.

At the Plan Commission, we gave our verbal agreement to these conditions. Realizing, however, that this agreement should be communicated in writing, we are herewith reaffirming our agreements as outlined above.

Naturally, we will be relying on you for necessary engineering data, specifications and cost figures, and for your direction as to how we should execute the agreements referred to above.

We appreciate very much the cooperation your office has extended to us in this matter. If there are any further questions which we or our attorneys can answer feel free to contact us.

cc: Messrs: K. McGraw
T. L. Neu

Sincerely,
FALSTAFF BREWING CORPORATION

Edw. J. Griesedieck, Jr.
Plant General Manager

The following transactions took place at the regular meeting of the Common Council of the City of Fort Wayne on May 26, 1970:

MOTION

Thomas G. Adams ^{*nominated*} ~~moved that~~ Edwin J. Rousseau ~~be nominated~~ ^{*nomination was*} to be our representative on the Metropolitan Human Relations Commission. ~~Motion~~ ^{*Motion*} seconded by Jack Dunifon and John Nuckols. Jack dunifon moved, and John Nuckols seconded, that nominations be closed. Motion Carried. John Nuckols moved that one unanimous vote be cast for Edwin J. Rousseau as Council representative on the Metropolitan Human Relations Commission, ~~seconded by~~ whereupon Mr. Rousseau was unanimously elected.

RESIGNATION

Mr. Edwin J. Rousseau tendered a verbal resignation from the City Plan Commission effective July 1, 1970.

STATE OF INDIANA }
 } SS:
COUNTY OF ALLEN }

RESOLUTION
BY THE
ALLEN COUNTY COUNCIL

WHEREAS; certain citizens of Riverhaven, a community within Allen County, Indiana, having done a commendable job of improving living conditions in their area, and

WHEREAS: much more work is needed within the Riverhaven area to complete the improvement of this area, and

WHEREAS, where the needed assistance is available through certain State, County and City Departments.

THEREFORE, BE IT RESOLVED that all Departments of Allen County, Indiana over which the County Council has budgeting control of funds be made aware of the problem as set-out above and be hereby directed to render such assistance as is available through their respective departments.

AND BE IT FURTHER RESOLVED that a copy of this Resolution be given the the following Departments of Allen County: Allen County Sheriff, Allen County Highway, Allen County Board of Health, Allen County Plan Commission, Allen County Prosecutor and the Allen County Surveyor.

DATED THIS 14TH DAY OF MAY, 1970. ENTERED INTO THE RECORDS OF THE ALLEN COUNTY COUNCIL ON THE 14TH DAY OF MAY, 1970.

ATTEST:

Walter H. Summers
WALTER H. SUMMERS, SECRETARY
ALLEN COUNTY COUNCIL

Max P. Shambaugh
MAX P. SHAMBAUGH, PRESIDENT
ALLEN COUNTY COUNCIL

202
405
CC: COUNTY OFFICIALS, MARY BLAISING, STATE BOARD OF HEALTH,
COMMON COUNCIL OF THE CITY OF FORT WAYNE, CITY PLAN COMMISSION

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said city and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday, the 26th day of May, 1970; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office,

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 26th day of May, 1970.

Fuad G. Bonahoom
City Clerk

SEAL